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MONTANA DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES  
ENVIRONMENTAL SCIENCES DIVISION  
FOOD & CONSUMER SAFETY BUREAU  
HELENA, MONTANA

## GUIDELINES FOR JAILS AND LOCKUPS

JAN 20 '77

Excerpts from Revised Codes of Montana 1947, Title 69, Chapter 41.

69-4110. Functions, powers and duties of department.

With policy guidance of the state board, the department shall:

- (1) establish divisions, sections, or units which are necessary to carry out the responsibilities of the department;
- (2) study conditions affecting the citizens of the state by making use of birth, death, and sickness records;
- (3) make investigations, disseminate information, and make recommendations for control of diseases and improvement of public health to persons, groups, or the public;
- (4) at the request of the governor, administer any federal health program for which responsibilities are delegated to states;
- (5) inspect and work in conjunction with custodial institutions and Montana university system units periodically as necessary, and at other times on request of the governor;
- (6) after each inspection made under subsection (5) of this section, submit a written report on sanitary conditions to the governor and to the director of institutions or executive secretary of the Montana university system and include recommendations for improvement in conditions, if necessary;
- (7) advise state agencies on location, drainage, water supply, disposal of excreta, heating, plumbing, sewer systems, and ventilation of public buildings;
- (8) organize laboratory services and provide equipment and personnel for those services;
- (9) develop and administer activities for the protection and improvement of dental health and supervise dentists employed by the state, local boards of health, or schools;
- (10) develop and administer a program to protect the health of mothers and children;
- (11) conduct health education programs;
- (12) supervise school and local public health nurses in the performance of their duties;
- (13) consult with the superintendent of public instruction on health measures for schools;
- (14) develop and administer a program for services to handicapped children including diagnosis, medical, surgical and corrective treatment, and after-care and related services;
- (15) supervise local boards of health.

69-4118.

Sanitary inspections of schoolhouses, churches, jails and other facilities for assemblages of persons. (1) The department shall make sanitary inspections of schoolhouses, churches, theaters, jails and other buildings or facilities where persons assemble. If the facility is found unsanitary, the department shall direct that conditions be corrected within a reasonable time. If the unsanitary conditions are not corrected within the time specified, the building or facility is a public nuisance. (2) Either the state board or a local board of health shall bring an action to correct the unsanitary conditions in the way provided by law for abating a public nuisance.

#### SECTION I. DEFINITIONS

The following definitions shall apply in the interpretation of these guidelines:

1. Approved means approved by the State Department of Health and Environmental Sciences.

2. Inmate means a prisoner or one of several prisoners.

3. Jail means any county jail, city jail, or town jail or similar place used for the confinement of persons awaiting trial or serving duly imposed sentences.

4. Prisoner means a person lawfully confined in any jail or lockup wherein the personal liberties of such person are restrained.

#### SECTION II. PLAN AND SPECIFICATION REVIEW

A. Plans for new construction or for additions or extensive remodeling to existing jails or lockups should be submitted, before construction is begun, to the State Department of Health and Environmental Sciences for review and approval. Plans should consist of:

1. Working drawings and specifications,

a. Architectural drawings including topography, location, floor plans, basement plans, schedule of doors, exits and elevators of all buildings.

b. Structural drawings including plans for foundations, floors, roofs, and intermediate levels with sizes, sections and relative locations of structural members.

c. Mechanical drawings including heating systems, air conditioning systems, plumbing, wiring, ventilating systems, fire alarm systems, sprinkler systems and standpipes.

2. Supplemental information,

- a. Details of food service including kitchen plan, floor coverings, wall finishes, food equipment details, refrigeration, lighting, storage rooms, lavatories, dish machines, food-contact surface coverings, garbage storage, and all other information as the State Department of Health & Environmental Sciences may require for a determination of conformity with Montana Department of Health and Environmental Sciences Regulations for Food Service Establishments.
- b. Details of laundry rooms, dining rooms, security rooms, floor plans of cells, number and locations of beds, showers, toilets, storage areas for clothing, medicines, and bedding.
- c. Specifications of all in-cell fixtures including drinking fountains, toilets, lavatories, beds, and other furnishings.
- d. All other information relating to prisoners housing and other facilities.

3. Plans and specifications as called for by regulations of the Hospital and Medical Facilities Division of the Montana Department of Health and Environmental Sciences as authorized by Chapter 52, Title 69, R.C.M., 1947 for hospitals, infirmaries, or medical treatment facilities in all jails.

- B. Compliance is advised on all new or remodeled jails or prisons to the codes and regulations listed in Section VI, paragraph A, of these guidelines.
- C. Plans and specifications shall be approved by:
  - 1. The Montana Department of Health and Environmental Sciences.
  - 2. The Montana State Fire Marshal.
- D. Construction shall not commence until all plans and specifications have been approved in writing by the agencies listed in paragraph C above.

SECTION III. RECORDS AND ADMISSIONS

- A. Each person to be admitted to any jail should be handled in such a manner as to satisfy the following requirements:
  - 1. Each admitted prisoner should be carefully inspected by the admitting official for signs of physical or mental distress, including a search for "health tags", alerting tags, or cards regarding the health conditions of the prisoner.
  - 2. In addition to other booking information, medical information should be recorded including injuries, weight, age, physical description, and such other medical information as can be obtained.



3. Each prisoner exhibiting any conditions which may require medical attention, as described in Section IV, paragraph F of this regulation should be removed to a hospital or infirmary or receive a physical examination by a physician immediately, and must not be integrated into the jail population until such conditions are corrected or declared safe by the local health officer.
  4. Intoxicated persons or those to be held in isolation or segregated and who will probably be held less than 48 hours in the jail need not receive medical examination, shower, or jail clothing unless the admitting inspection indicates the necessity. Care should be taken to differentiate between intoxicated persons and persons delirious, comatose, or prostrate due to other reasons such as diabetes, epilepsy, poisoning or some physical disability.
  5. Persons to be held over 48 hours or who will be integrated into the jail population shall, at the time of admittance, receive a shower with warm water with ample soap, and a physical examination by the jail physician. Where it is not possible for a physician to be in attendance during the receiving procedure, the physician on call must be notified immediately and the prisoner held in isolation.
  6. Alcoholics with delirium tremens and narcotic drug abusers in withdrawals should be hospitalized and their care directed by a physician.
  7. The requirements for physical examinations of this section may be met by alternate procedures only if approved by the local health officer and to the extent that a reasonable degree of health care and safety can be maintained.
- B. Before being integrated into the jail population, except in the case of intoxicated persons, as in paragraph A.4 above, all prisoners must receive, in addition to a thorough shower, an issue of jail clothing. Their personal clothing must be receipted for, cleaned if necessary, and stored.
- C. Jail clothing shall be composed of clean socks, clean undergarments, and clean and serviceable outer garments. Shoes or other foot gear are required and a prisoner may be allowed to keep his personal shoes if precautions are taken against contraband.
- D. The prisoner must then be issued clean bedding in accordance with Section IV, and be assigned to suitable quarters.

#### SECTION IV. DISEASE AND INFECTION CONTROL

- A. Arrangements should be made in advance of need for medical services, both for admissions and emergencies.
1. In a small jail where the services of a jail physician are not available, the name, phone numbers and address of a physician with whom arrangements have been made should be prominently posted.

2. Jails of sufficient size to maintain a hospital, infirmary or a hospital-related facility for treatment or care of prisoners or persons must be licensed and approved by the Hospital and Medical Facilities Division of the State Department of Health and Environmental Sciences.
- B. Medical supplies must be under the direct control of jail personnel and not in the possession of the prisoners except as may be advised by the jail physician or the physician on call. They should be stored in a secure place, protected from contamination within the administration offices of the jail or in an approved infirmary or pharmacy.
  - C. Effective measures must be taken to protect against the entrance into the jail and presence on the premises of rodents, flies, roaches, lice, bedbugs, and other vectors.
  - D. Jail laundry facilities or local vendor may be utilized, but laundry services must be maintained to provide sanitary conditions in the jail at all times.
    1. If the jail has laundry facilities on site, adequate handling space for soiled or vermin-infested clothing and linen must be provided.
    2. Prompt disinfection must be carried out on all infested linen or clothing.
    3. In no case shall prisoners be allowed to launder their own clothes or linen in the cells or cell blocks.
  - E. No person affected with a communicable disease in any form or while a carrier of such disease or while afflicted with respiratory infection or open infected wounds or sores shall be allowed to work in the jail infirmary, food service, admissions area, laundry or cell block area or any part of the institution where contact with prisoners or other jail personnel is likely.
  - F. Isolation should be provided for individuals admitted to the facility who have infected sores, symptoms of respiratory or venereal infection or symptoms of disease or vermin infestation, or any other physical or mental distress, until medical examination, referral to a hospital, or disinfection is completed.
    1. Persons incapacitated from alcohol or other drugs, suffering delirium tremens, mentally ill persons, narcotic drug users in withdrawal, or persons who are unconscious or comatose should receive hospital medical treatment before being booked into jail and at the earliest possible time.
    2. Diagnosis and treatment should be sought immediately by a licensed physician for any prisoner or admittee exhibiting symptoms of any physical or mental distress or infection.

- G. The prisoners of any jail must be moved, isolated or removed from the jail or contiguous building in cases of communicable diseases or pestilence when the physician thereof certifies that it is likely to endanger the health of the prisoners, in accordance with the provisions of Section 16-2815, R.C.M. 1947.

#### SECTION V. SUPPLIES - HYGIENE

- A. Each prisoner should be provided jail bedding and a clean towel.
1. The bedding issue must include a mattress, sheets or a mattress cover and sufficient blankets to provide comfort under existing temperature conditions.
  2. All items must be issued in a clean condition and the washable items shall be exchanged on a weekly basis.
  3. Blankets must be laundered at least every 3 months or more often as necessary to maintain cleanliness.
- B. Mattresses shall be vermin free and clean before re-issue. In the absence of a sterilizer, the mattress should be swept, aired for 24 hours, treated with disinfectant spray and air-dried before re-issue.
- C. Prisoners must be provided with soap of good quality, toothpaste or powder and a sanitary toothbrush daily to maintain satisfactory personal hygiene.
- D. Facilities for shaves and haircuts should be made available and carefully supervised. Equipment must be removed from inmate quarters after use and cleaned.
- E. Each cell must be equipped with a rigidly constructed toilet and wash basin. In cells of multiple occupancy, there shall be a minimum of one toilet and one wash basin for every eight inmates or fraction thereof except padded cells, detoxification centers, alcohol or drug treatment centers or similar specialized facilities.
- F. Bathing facilities must be made available to all prisoners for bathing twice weekly. A minimum of one shower head should be provided for each 15 prisoners or fraction thereof.
- G. Prisoner's washable clothing should be changed and laundered at least once a week.
- H. All clothing must be stored off the floor in an orderly manner.
- I. Floor drains should be flushed daily and water maintained in traps to prevent escape of sewer gas.
- J. The sheriff or keeper of the jail shall furnish each prisoner with as much potable water as may be necessary for drink and personal cleanliness.
- K. All parts of the jail must be kept clean and periodic inspections made to determine the need for any building maintenance which may be necessary to keep the jail or prison cleanable, clean and vermin free.



SECTION VI. STRUCTURAL REQUIREMENTS

- A. Compliance with the following codes and regulations is required by all new or extensively remodeled jails and prisons unless equivalent codes are in effect at the local level:
1. The Montana Electrical Code,
  2. The Montana Plumbing Code,
  3. Regulations for Food Service Establishments, Montana State Department of Health and Environmental Sciences,
  4. Uniform Building Code, Latest Edition, International Conference of Building Officials, Volumes I and II,
  5. Life Safety Code, Latest Editions, National Fire Protection Association.
- B. Cells for inmates may be single occupancy or multiple occupancy of not more than twenty-five (25) bunks. A minimum of 500 cubic feet of air space per prisoner should be provided including the cells and the prorated air space of corridors and adjacent galleries where such air space has free circulation into the cell area.
1. A single occupancy cell shall have a minimum size of fifty (50) square feet, and minimum clear height of seven feet, six inches (7'6").
  2. All multiple occupancy cells shall have a minimum of 50 square feet of floor space per occupant and a minimum eight foot clear cell height.
  3. Where "dormitory" facilities are used, each dormitory shall have a ceiling height of at least 8 feet and provide 75 feet of floor space per prisoner. If "double bunks" are used, a minimum ceiling height of 9 feet must be provided.
- C. Every room occupied by prisoners or in which cells for prisoners will be located shall be provided with adequate ventilation. In new or extensively remodeled jails, the ventilation shall be by means of:
1. Windows or skylights with an area equal to one-eighth of the total floor area, one-half of which shall be openable, or
  2. A mechanical, forced air ventilation system which will supply five cubic feet per minute of outside air with a total circulated of not less than 15 cubic feet per minute per occupant in all occupied portions of the building.
- D. In all areas of the jail where food is received, stored, prepared, or served, where drunk prisoners are received, where prisoners are held or detained, in all toilet rooms and shower rooms, the floors shall have smooth, cleanable surfaces free from breaks, open seams, and cracks.

## SECTION VII. SANITATION

- A. The water supply and sewage disposal system of each jail or other building occupied by prisoners or in which prisoners work or spend time, must be connected to and served by municipal or public systems whenever they are reasonably available.
- B. If no approved municipal system is available, the sewage disposal system for the facility must meet or exceed the State Department of Health & Environmental Sciences standards for sewage disposal. No part of the system or sewage therefrom will be allowed to create a nuisance or public health hazard or contaminate any waters of the State.
- C. If a municipal water system is not available, the water supply system for the facility must meet or exceed the Department of Health standards for water supply systems. The supply must be protected from bacteriological contamination and of satisfactory chemical quality so as to cause no unfavorable physiological effects.
- D. Jail water supply systems should be sampled and examined for bacteriological quality annually or more often as may be required by the Department of Health and Environmental Sciences or local health authority.
- E. A schedule should be established and adhered to relative to building cleaning procedures including such items as the following:
  - 1. Floors must be swept and mopped at least twice weekly or more frequently as necessary.
  - 2. Bars, cell doors, windows and exposed surfaces should be cleaned at least once weekly.
  - 3. Toilets, basins, sinks and other equipment in the cells or living areas must be cleaned daily with hot water, soap and scouring powder, if indicated, and other such facility cleaning as may be necessary to insure high standards of cleanliness.
- F. The storage, collection, and disposal of refuse at a jail or lockup shall be so conducted as to create no health hazard, rodent harborage, insect breeding areas, accident or fire hazards, air pollution, or sanitation problems.
  - 1. Receptacles should be provided in all prisoner areas for refuse. They should be emptied daily and maintained in a clean condition.
  - 2. All refuse shall be stored in washable, rodent proof, tight containers with secured lids. Containers must be in sufficient number and capacity to properly store all refuse between collection, and stored on racks or otherwise protected against being tipped.



## SECTION VIII. FOOD PREPARATION AND SERVICE

- A. All meals shall be prepared in kitchen facilities inspected and approved by the local health authority or State Department of Health and Environmental Sciences. If food service facilities are provided within the jail, they must be constructed and operated in accordance with the Montana State Board of Health and Environmental Sciences Regulation 55.200, Food Service Establishments.
- B. Foods to be transported a considerable distance between preparation and service must be protected from contamination and insulated to maintain proper temperatures during transportation; the use of covered containers, heated carts or similar insulated devices are acceptable. All potentially-hazardous foods shall be kept at 45°F. or below, or 140°F. or above during transportation.

## SECTION IX. HEATING AND LIGHTING

- A. Ventilation and temperature should be controlled by employees in such a manner as to maintain even temperature, between 68 to 72 degrees Fahrenheit in the daytime and above 60 degrees at night.
- B. Daytime lighting, natural or artificial or both, should provide a minimum maintained level of 20 foot candles in all cells, dayrooms and reading areas. Walls should be of light washable colors.
- C. Buildings, shops, or other structures outside the cell blocks where prisoners are assigned to work on routine agricultural, industrial or educational assignments shall have sufficient heat, light and ventilation to protect the health of the prisoner.
- D. Lighting fixtures in cell blocks or cell areas should be protected, sufficiently out of reach of the prisoners and under outside switch control.



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